



September 28, 2018

HHS FOIA Request: 2018-00216-FOIA-OS

Legal Case: 1:18-cv-00466-CRC

Mr. Daniel Stevens
Executive Director
Campaign for Accountability
611 Pennsylvania Ave., S.E. #337
Washington, D.C. 20003

Via E-mail: dstevens@campaignforaccountability.org

Dear Mr. Stevens:

This letter is the fourth interim response to your November 8, 2017, Freedom of Information Act (FOIA)¹ request, which Ms. Katie O'Connor (formerly of your staff) sent via electronic mail to the attention of Michael Marquis, FOIA Director, Department of Health and Human Services (HHS or Department). In accordance with the June 4, 2018 minute order of the Court, our agency will be providing rolling responses to your FOIA request in accordance with the Court-established schedule, as we continue with our review of the records located. This letter constitutes our fourth response for the records we have reviewed to date; our agency produced prior responses on July 2, 2018, August 1, 2018 and August 31, 2018, respectively.

To reiterate the scope and substance of your FOIA request, your organization sought four itemized categories of records as described below, for the time period of January 20, 2017, to the date the records search began:

- 1) All communications, meeting notices, meeting agendas, informational materials, draft legislation, talking points, or other materials received by HHS from, sent by HHS to, or exchanged between HHS and representatives of the Susan B. Anthony List, Concerned Women for America, March for Life, American Values, and Family Research Council regarding House Resolution 1628 or any other efforts to repeal or reform the Affordable Care Act ("ACA").
- 2) All calendar entries reflecting meetings between HHS and representatives of the Susan B. Anthony List, Concerned Women for America, March for Life, American Values, and Family Research Council regarding House Resolution 1628 or any other efforts to repeal or reform the ACA.
- 3) All communications, meeting notices, meeting agendas, informational materials, draft legislation, talking points, or other materials received by HHS from, sent by HHS to, or exchanged between HHS and representatives of the Susan B. Anthony List, Concerned

¹ 5 U.S.C. § 552

Women for America, March for Life, American Values, and Family Research Council regarding House Joint Resolution 43 or any other efforts to exclude Planned Parenthood or similar organizations from federal funding.

4) All calendar entries reflecting meetings between HHS and representatives of the Susan B. Anthony List, Concerned Women for America, March for Life, American Values, and Family Research Council regarding House Joint Resolution 43 or any other efforts to exclude Planned Parenthood or similar organizations from federal funding.

As we advised previously in our initial response of July 2, 2018, the Department conducted a search of the e-mail accounts and calendars of the HHS staff members who would customarily maintain these categories of records, if existent. We are continuing to review those personal storage table (.pst) files which were located and which may be potentially responsive to your request; however, those records require further review to determine whether they are indeed responsive and fall within the scope of your request. For this response, we have reviewed e-mails and calendar entries with an approximate size of 68 megabytes. Those e-mails, calendar entries and attachments, after conversion from the .pst file format in which they were provided to our office to a page-countable format, totaled 2,132 pages of records.

After a thorough and detailed review of those records and their attachments by the FOIA office, no records were found within the above referenced 2,132 pages which were responsive to the four items of your request.

We are continuing to review the records located in response to your FOIA request, and as stated above, will be responding to your FOIA request with subsequent productions on a monthly basis.

Sincerely,

A handwritten signature in black ink, appearing to read "M. S. Marquis", with a stylized flourish at the end.

Michael S. Marquis
Director
Division of Freedom of Information and Privacy Acts

cc: Jason T. Cohen, Esq.
A. Mackenna White, Esq.
Nichole L. Sterling, Esq.
Kendall E. Wangsgard, Esq.
Carey S. Busen, Esq.